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84TH CONGRESS
1ST SESSION

H. R. 6847

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1955

Mr. WATTS introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 313 of the Agricultural Adjustment Act of
4 1938, as amended, is amended by adding at the end thereof
5 the following new subsection:

6 “*In establishing farm acreage allotments for burley*
7 *tobacco crops for the years 1956, 1957, and 1958 the acreage*
8 *allotment for any farm which has not been retired from agri-*
9 *cultural production shall not be reduced below the acreage*
10 *allotment which would otherwise be established because the*
11 *harvested acreage was less than the allotted acreage unless*

1 the acreage harvested was less than 50 per centum of the
2 allotted acreage in each of the preceding five years, in which
3 event it shall not be reduced for such reason to less than the
4 largest acreage harvested in any year in such five-year
5 period.”

84TH CONGRESS
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H. R. 6847

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

By Mr. WATTS

JUNE 15, 1955

Referred to the Committee on Agriculture

S. 2295

IN THE SENATE OF THE UNITED STATES

JUNE 22, 1955

Mr. CLEMENTS introduced the following bill ; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

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3 That section 313 of the Agricultural Adjustment Act of
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5 the following new subsection:

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7 tobacco crops for the years 1956, 1957, and 1958 the
8 acreage allotment for any farm which has not been retired
9 from agricultural production shall not be reduced below the
10 acreage allotment which would otherwise be established
11 because the harvested acreage was less than the allotted

1 acreage unless the acreage harvested was less than 50 per
2 centum of the allotted acreage in each of the preceding five
3 years, in which event it shall not be reduced for such
4 reason to less than the largest acreage harvested in any
5 year in such five-year period."

84TH CONGRESS
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S. 2295

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

By Mr. CLEMENTS

JUNE 22, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 15, 1955
For actions of July 14, 1955
84th-1st, No. 119

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HIGHLIGHTS: House passed supplemental appropriation bill. Senate passed reserve forces bill. Sen. Johnston criticized USDA's statement of reported losses for price support programs.

HOUSE

1. APPROPRIATIONS. Passed with amendments H. R. 7278, the supplemental appropriation bill (pp. 9013-63). Several items of interest to the USDA were deleted from the bill on points of order made by Rep. Rabaut and sustained by the Chair: (1) \$380,000 for "salaries and expenses" in research; (2) \$15 million for loans to low-income farmers under Title II of the Bankhead-Jones Farm Tenant Act; (3) \$5 million for ACPS; (4) GS-17 position for CCC sales manager; (5) "salaries and expenses" for the Mexican farm labor program; and (6) uniform allowances. Rep. Whitten once again charged the USDA with failure to aid the farmer. For additional items of interest to the Agriculture Department see the "Digest of Daily Proceedings" No. 117.
2. CONTRACTS. Received the conference report on H. R. 4904, to extend the Renegotiation Act of 1951 for two years (H. Rept. 1188) (p. 9064).
3. TOBACCO. The Abbitt Subcommittee of the Agriculture Committee approved the following bills for reporting to the full committee: ~~H. R. 7090, proposing that tobacco growers vote on quotas for 3-year periods; and H. R. 6847 and H. R. 6846, amending the Agricultural Act regarding tobacco allotments (p. D713).~~

4. COTTON. The Gathings Subcommittee of the Agricultural Committee approved for reporting to the full committee H. R. 7252, to permit sale of Commodity Credit Corporation stock of basic and storable nonbasic agricultural commodities without restriction where similar commodities are exported in raw or processed form (p. D713).
5. LEGISLATIVE PROGRAM. The Majority Leader outlined the legislative program for next week as follows: Mon., July 18, the Consent Calendar will be called and the following bills brought up under suspension of the rules: H. R. 7225, the Social Security Amendments of 1955; and S. 1855, amending the Federal Airport Act. On Tues., July 19, the Private Calendar will be called, and during the balance of the week, the following bills will be considered: H. R. 5614, to amend the Communications Act of 1934; H. R. 6373, to extend the Mineral Program Act; H. R. 7072, the Federal aid highway construction bill, and S. 2126, the housing bill (pp. 9049-50).
6. ADJOURNED until Mon., July 18 (pp. 9065, 9072).

SENATE

7. ROADS. Agreed to the conference report on S. 1464, authorizing the Secretary of the Interior to acquire certain rights-of-way and timber access roads (p. 9090). This bill will now be sent to the President.
8. TRADE AGREEMENTS. The Finance Committee reported without amendment H. R. 6059, to revise the 1946 trade agreement between the U. S. and the Philippines (S. Rept. 862) (p. 9077).
9. CUSTOMS SIMPLIFICATION. Sen. Malone criticized certain provisions of H. R. 6040, to amend the administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws (pp. 9141-7).
10. RESERVE FORCES. Passed, 80 to 1, H. R. 7000, to provide for the strengthening of the Reserve Forces (pp. 9090-9125).
11. ELECTRIFICATION; RECLAMATION. Sen. Morse inserted various resolutions urging enactment of legislation providing for the construction of Hells Canyon Dam (p. 9076).
Sen. Watkins inserted various statements and excerpts from hearings favoring and opposing the proposed upper Colorado River project (pp. 9131-8).
Sen. Morse discussed possible effects of the proposed Hells Canyon Dam and stated that "the water rights objections to Hells Canyon are a phantom", (pp. 9149-51).
12. SURPLUS COMMODITIES; FOREIGN TRADE. Sen. Eastland, for himself, Sens. Ellender, Holland, Scott, Young, Schoeppel, Aiken, Thyne, Humphrey, Hickenlooper, Johnston, and Clements, submitted an amendment in the nature of a substitute, intended to be proposed by them, jointly, to S. 2253, to increase funds for Public Law 480 and transfer its administration to USDA (p. 9078).
13. WILDLIFE. Sen. Morse inserted a St. Louis Post-Dispatch editorial criticizing the proposal of the Interior Dept. to abandon certain wildlife refuges and urged that "the Secretary of the Interior define his policy on our national wildlife refuges" (p. 9080).

"Federal Aid to Agriculture," "The Administrative and Fiscal Impact of Federal Grants-in-Aid," "Civil Defense and Urban Vulnerability," "Federal Responsibility in the Field of Education," "The Impact of Federal Grants-in-Aid on the Structure and Functions of State and Local Governments," "Federal Aid to Welfare," "Local Government," and "Unemployment Compensation and Employment Service." The regular departmental supply of these publications is being obtained directly from the Government Printing Office by the agencies of the Department, and copies are generally not available from this office.

This office has obtained some additional copies of the final report of the entire Commission on Intergovernmental Relations, which was ordered printed as a congressional document. These copies are available, for official purposes, by calling Ext. 4654 or sending to Room 105A.

14. TOBACCO. The Agriculture Committee on Fri., July 15, ordered the following bills reported: H. R. 6845, to amend the Agricultural Adjustment Act relating to national marketing quota for tobacco; and H. R. 6846, amended, and H. R. 6847, amending the Agricultural Act regarding tobacco allotments (pp. D723-4).
15. FARM LOANS. The Agriculture Committee ordered reported on Fri., July 15, H. R. 6914, to amend the Bankhead-Jones Farm Tenant Act, to modify, clarify, and provide additional authority for insurance of loans (p. D724).
16. RICE. The Agriculture Committee ordered reported on Fri., July 15, H. R. 7302, to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938 (p. D724).
17. FARM-CITY WEEK. Subcommittee Number 4 of the Judiciary Committee on Fri., July 15, reported to the full committee H. J. Res. 317, to designate the last week of October of each year as National Farm-City Week (p. D725).
18. PERSONNEL. Reps. Davis, Ga., and Cunningham discussed the status of S. 1041, to provide for the inclusion in computation of accredited service of certain State service in retirement provisions, and it was passed over without prejudice (p. 9267).
Rep. Ford requested and it was agreed that S. 1792, to amend the Federal Employees' Group Life Insurance Act of 1954, be passed over without prejudice (p. 9267).
Passed as reported H. R. 6590, prohibiting the Federal employment of disloyal persons (pp. 9270-1).
19. SOCIAL SECURITY. Passed with amendments H. R. 7225, to amend the Social Security Act (pp. 9273-9304). The bill amends the old-age and survivors' insurance system to provide monthly benefits for disabled insured individuals who have attained age 50, a reduction in the benefit eligibility age for women to 62 years, continued monthly benefits for disabled children after they attain age 18, expanded old-age and survivors' insurance coverage, and an adjusted contribution schedule. The bill clarifies the status under old-age and survivors' insurance of individuals who operate farms with the owners or tenants of those farms, under share-farming arrangements, by specifying that these individuals are not employees but are self-employed. It also provides that the exclusion from self-employment earnings of rentals from real estate would not apply to any income derived by an owner or tenant of land from the operation of a farm by another individual under an arrangement which provided for material participation by the owner or tenant in the farm production. It extends coverage to an estimated 20,000 agricultural workers engaged in the production of turpentine and gum naval stores.

20. MINIMUM WAGE. The Rules Committee reported a resolution for debate on and consideration of H. R. 7214, to amend the Fair Labor Standards Act to provide for an increase to \$1 per hour in the minimum wage (p. 9319).
21. PENALTY MAIL. Passed without amendment H. R. 5856, repealing the requirement for heads of departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year (p. 9267).
22. ACCOUNTING OFFICERS. Passed without amendment H. R. 7035, authorizing the GAO to provide for relief of an accounting officer for loss of physical property upon determination of the pertinent facts (p. 9262).
23. DISBURSING OFFICERS. Passed without amendment H. R. 7034, authorizing the Comptroller General or his designate to provide relief for disbursing officers for loss of funds upon determination of the pertinent facts (pp. 9262-3).
24. RECLAMATION; ELECTRIFICATION. Reps. Hosmer and Sheppard spoke in opposition to the proposed construction of the upper Colorado River project (pp. 9233-4, 9329-30).
25. HIGHWAYS. The Public Works Committee approved on Fri., July 15, for reporting H. R. 7072, the Federal-aid highway construction bill. The "Daily Digest" states "A clean bill is scheduled to be reported tomorrow (Tues., July 19), which will supersede H. R. 7072 (p. D725).
26. FAO. Received a draft of proposed legislation from the Acting Secretary of State "to amend certain laws providing for membership and participation by the United States in the Food and Agriculture Organization and the International Labor Organization and authorizing appropriations therefor;" referred to the Foreign Affairs Committee (p. 9338).
- AIRPORTS.
27. Passed as reported S. 1855, authorizing the Secretary of Commerce to make grants under the Federal Airport Act, annual contract authority in the amount of \$63 million for each of the fiscal years 1956, 1957, 1958, and 1959 (pp. 9304-11). The Federal Airport Act provides for an integrated national system of airports for air commerce, including "agricultural flying" and further provides that the Secretary of Commerce shall use such authorized funds for projects in "national forests" if deemed appropriate for "carrying out the national airport plan."

SENATE

28. LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 4894, which would repeal certain obsolete laws relating to disposals of land under the timber and stone laws (S. Rept. 875) (p. 9156).
29. CONTRACTS. Agreed to the conference report on H. R. 4904, to extend the Renegotiation Act of 1951 for two years (pp. 9184-5).
30. DEFENSE PRODUCTION. Sen. Kilgore submitted an amendment he intends to propose to S. 2391, the defense production bill (p. 9159).
31. PAPERWORK. Received from the Hoover Commission part 2 of its task force report on the Nation's Paperwork for Government an Experiment; to Government Operations Committee (p. 9154).

14. WHEAT. Sen. Langer inserted a Beulah, N. Dak., Farmers Union Elevator Co. resolution favoring legislation to provide full 100 percent of parity on wheat (pp. 9469-70).
15. ELECTRIFICATION. Sen. Neuberger inserted resolutions of the Oregon Rural Electric Cooperative Association opposing the administration's power policies (pp. 9470-1).
16. EDUCATION; VETERANS' BENEFITS. The Labor and Public Welfare Committee reported without amendment S. 2081, to provide that education and training allowances paid to veterans pursuing institutional on-farm training shall not be reduced for 12 months after they have begun their training (S. Rept. 1036) (p. 9471).
17. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment S. 1534, to facilitate the construction of drainage works and other minor items on Federal reclamation and like projects (S. Rept. 1037) (p. 9471).
18. APPROPRIATIONS. Sen. Chavez spoke criticizing the President's objection to certain provisions of the Defense Department appropriation bill for 1956 (pp. 9483-5).
19. NOMINATIONS. Confirmed the nominations of Marion B. Folsom to be Secretary of Health, Education, and Welfare, and H. Chapman Rose, of Ohio, to be Under Secretary of the Treasury (p. 9489).
20. PERSONNEL. Passed with amendment H. R. 4048, making recommendations to the States for the enactment of legislation to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise (pp. 9497-8).
The Agriculture and Forestry Committee reported without amendment S. 1915, to provide for the exchange of employees of this Department and employees of State political subdivisions or educational institutions (p. D740).
21. TRADE AGREEMENTS. Passed without amendment H. R. 6059, to revise the 1946 trade agreement between the United States and the Philippines (pp. 9498-9).
This bill will now be sent to the President.
22. SECURITY. Passed with amendment H. J. Res 157, to establish a Commission on Government Security. Senate conferees were appointed. (p. 9501.)
23. PROPERTY TAXES. Sen. Humphrey inserted an excerpt from the report of the Commission on Intergovernmental Relations recommending a system of payments in lieu of property taxes (pp. 9502-3).
24. LANDS. Passed without amendment H. R. 4894, to repeal certain obsolete laws relating to disposals of land under the timber and stone laws (pp. 9502-3).
This bill will now be sent to the President.
25. ~~CCC STOCKS; LANDS; RICE; FARM LABOR; TOBACCO.~~ The Agriculture and Forestry Committee ordered reported without amendment ~~S. 2170, to permit sale of CCC stocks of basic and storable nonbasic agricultural commodities without restriction where similar commodities are exported in raw or processed form; H. R. 4280, to transfer certain title 3 lands to Clemson College; S. 1621, authorizing adjustment of certain obligations of farm settlers; S. 2297, national marketing quota for tobacco; S. 1915, regarding exchange of USDA employees and employees of State political subdivisions or educational~~

~~institutions; S. 2573, amend rice quota law; and with amendment H. R. 3822, to extend the Mexican farm labor program; S. 661, to authorize CCC to process food commodities for donation under certain acts; and S. 2295 and S. 2296, tobacco allotments (p. D740).~~

26. PRICE SUPPORT. The Rules Committee ordered reported without amendment S. Res. 123, authorizing additional funds of \$20,000 for the Agriculture and Forestry Committee to conduct field hearings on farm price support programs (p. D742).
27. LEGISLATIVE PROGRAM. Sen. Clements announced that the mutual security bill will be considered on Friday, and that it is most likely the calendar call will be made on Saturday rather than on Friday (p. 9506).

BILLS INTRODUCED

28. SURPLUS COMMODITIES. S. 2584, by Sen. Case, S. Dak., (for himself and Sen. Anderson), to exempt sales of surplus agricultural commodities for foreign currencies from certain statutes relating to shipping; to Agriculture and Forestry Committee (p. 9472).
29. LANDS, TRANSFER. S. 2585, by Sen. Ellender, to authorize an exchange of land at the Agricultural Research Center; to Agriculture and Forestry Committee (p. 9472).
30. SURPLUS PROPERTY. S. 2591, by Sen. Kennedy (for himself and Sen. Martin, Iowa), to amend section 602 of the Federal Property and Administrative Services Act of 1949 with respect to the utilization and disposal of excess and surplus property under the control of executive agencies; to Government Operations Committee (p. 9472).
31. WHEAT. H. R. 7493, by Rep. Anfuso, to amend the Agricultural Adjustment Act of 1938, to exempt certain wheat producers from liability under the act where all the wheat crop is used for food on the farm; to Agriculture Committee (p. 9564).
32. ROADS. H. R. 7494, to provide for the completion and financing of the National System of Interstate Highways uniformly throughout the Nation, in the interest of defense, travel, and commerce; to amend the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented; to Public Works Committee (p. 9564).
33. PERSONNEL. H. R. 7495, by Rep. Dorn, N. Y., H. R. 7496, by Rep. George, and H. R. 7502, by Rep. Wright, to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended; to Post Office and Civil Service Committee (p. 9564).
 H. R. 7499, by Rep. Ostertag, for the establishment of a Commission on the Aging; to Education and Labor Committee (p. 9564).
 H. R. 7507, by Rep. Miller, Calif., and H. R. 7508, by Rep. Yates, to amend section 8 of the Civil Service Retirement Act of May 29, 1920, as amended; to Post Office and Civil Service Committee (p. 9564).
34. DAYLIGHT SAVING. H. R. 7501, by Rep. Patterson, to amend the act of April 28, 1953, relating to daylight-saving time in the District of Columbia; to D. C. Committee (p. 9564).

FARM ACREAGE HISTORY FOR BURLEY TOBACCO
ALLOTMENTS

JULY 20, 1955.—Filed under authority of the order of the Senate of July 20, 1955,
with an amendment, and ordered to be printed

Mr. CLEMENTS, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany S. 2295]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2295) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments, having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill would prevent the burley tobacco acreage allotment for 1956, 1957, or 1958 for any farm not retired from agricultural production from being reduced by reason of the underplanting of any previous allotment, if at least 50 percent of the farm's allotment in any 1 of the 5 years preceding the year for which the allotment is being determined was harvested. If the farm has harvested less than 50 percent of its allotment in each of such 5 years, its allotment would not be reduced for that reason to less than the highest acreage harvested in any 1 of such years. The purpose of the bill is to discourage the production of burley tobacco, which is already in oversupply, for the purpose of retaining allotments. The bill and the current regulation on this matter are explained in the attached letter from the Department of Agriculture.

The committee amendment would designate the subsection added to section 313 of the Agricultural Adjustment Act of 1938 by the bill as subsection (j).

2 FARM ACREAGE HISTORY FOR BURLEY TOBACCO ALLOTMENTS

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., July 19, 1955.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your letter of June 23, 1955, requesting the Department's views on S. 2295, a bill to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

The Department recommends that the bill be passed.

The bill is applicable only to burley tobacco during the next 3 years. The surplus burley tobacco situation led to the enactment of Public Law 21, 84th Congress, under which the 1955 burley national marketing quota and State and farm acreage allotments were reduced. S. 2295 provides that for the next 3 years (1956-58) the burley tobacco acreage allotment for a farm (other than a farm retired from agricultural production) would not be reduced because of underplanting if as much as 50 percent of the farm-acreage allotment was harvested in any 1 of the preceding 5 years. If less than 50 percent of the allotment was harvested in each of the preceding 5 years, the allotment would not be reduced for such reason to less than the largest acreage harvested in any year in such 5-year period.

Under present regulations of the Department, the acreage allotment for a farm is not reduced because of underplanting if the acreage of tobacco harvested on the farm during any 1 of 3 consecutive years is as much as 75 percent of the farm-acreage allotment.

In carrying out the provisions of S. 2295 no additional funds would be required.

In view of Mr. Mouser's telephone request of July 18 that these reports be submitted immediately, we have not obtained advice from the Bureau of the Budget as to the relationship of this proposed legislation to the program of the President.

Sincerely,

(Signed) EARL L. BUTZ,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

* * * * *

SEC. 313. * * *

(j) *In establishing farm acreage allotments for burley tobacco crops for the years 1956, 1957, and 1958 the acreage allotment for any farm which has not been retired from agricultural production shall not be reduced below the acreage allotment which would otherwise be established because the harvested acreage was less than the allotted acreage unless the acreage harvested was less than 50 per centum of the allotted acreage in each of the preceding five years, in which event it shall not be reduced for such reason to less than the largest acreage harvested in any year in such five-year period.*

○

84TH CONGRESS
1ST SESSION

S. 2295

[Report No. 1046]

IN THE SENATE OF THE UNITED STATES

JUNE 22, 1955

Mr. CLEMENTS introduced the following bill ; which was read twice and referred to the Committee on Agriculture and Forestry

JULY 20, 1955

Reported, under authority of the order of the Senate of July 20, 1955, by Mr. CLEMENTS, with an amendment

[Insert the part printed in italic]

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 313 of the Agricultural Adjustment Act of
4 1938, as amended, is amended by adding at the end thereof
5 the following new subsection :

6 “(j) In establishing farm acreage allotments for burley
7 tobacco crops for the years 1956, 1957, and 1958 the
8 acreage allotment for any farm which has not been retired
9 from agricultural production shall not be reduced below the
10 acreage allotment which would otherwise be established

1 because the harvested acreage was less than the allotted
 2 acreage unless the acreage harvested was less than 50 per
 3 centum of the allotted acreage in each of the preceding five
 4 years, in which event it shall not be reduced for such
 5 reason to less than the largest acreage harvested in any
 6 year in such five-year period."

Calendar No. 1059

84TH CONGRESS
1ST SESSION

S. 2295

[Report No. 1046]

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

By Mr. CLEMENTS

JUNE 22, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

JULY 20, 1955

Reported with an amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 25, 1955
For actions of July 22, 1955
84th-1st, No. 124

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HIGHLIGHTS: Senate committee reported bill to amend rice quota law. Senate passed bills to: provide mutual security appropriations; extend Mexican farm labor program; amend tobacco allotments-quotas law; authorize CCC to process foods for donation; transfer title 3 lands to Clemson College; and permit sales of certain CCC stocks without restriction. Sen. Ellender introduced bill to increase CCC borrowing authority.

SENATE

1. FOREIGN AID. Passed, 62 to 22, with amendments H. R. 7224, the mutual security appropriation bill for 1956 (pp. 9684, 9687-9714, 9717-51). Senate conferees were appointed (p. 9751). Rejected an Ellender amendment to reduce by \$5.5 million the amount available to Spain which shall be used for agricultural commodities (p. 9729).
2. RICE. The Agriculture and Forestry Committee reported without amendment S. 2573, to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, to provide that "in States where farm rice acreage allotments are established on a producer basis only the past plantings of rice by the producer within the State and acreage allotments previously established in the State for the producers would be used in determining such allotments" (S. Rept. 1093)(p. 9653).
3. LANDS. Passed without amendment H. R. 605, to provide for the abolition of the 80-rod reserved space between claims on shore waters in Alaska (p. 9672). This bill will now be sent to the President.

Passed without amendment H. R. 4280, to transfer certain title 3 lands to Clemson College, S. C., so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands (pp. 9684-5). This bill will now be sent to the President.

4. FARM LABOR. Passed as reported H. R. 3822, to extend the Mexican farm labor/^{program} for $1\frac{1}{2}$ years (p. 9676).
5. EDUCATION; VETERANS' BENEFITS. Passed without amendment S. 2081, to provide that education and training allowances paid to veterans pursuing institutional on-farm training shall not be reduced for 12 months after they have begun their training (p. 9672).
6. RECLAMATION. Passed as reported S. 1534, to facilitate the construction of drainage works and other minor items on Federal reclamation and like projects (p. 9672).
7. PRICE SUPPORT. Agreed to S. Res 123, increasing by 20,000 the funds available to the Agriculture and Forestry Committee for a study of price supports (p. 9673).
8. TOBACCO. Passed without amendment S. 2297, providing for the Secretary of Agriculture to proclaim a national marketing quota for tobacco (p. 9676).
Passed as reported S. 2296, providing for the exemption from marketing quotas of certain farms not producing tobacco for which an allotment had been made (p. 9676).
Passed as reported S. 2295, providing for the establishment of burley tobacco acreage allotments for farms retired from tobacco production (p. 9676).
9. COMMODITY CREDIT CORPORATION. Passed with amendment H. R. 2851, to make agricultural commodities owned by the Commodity Credit Corporation available to persons in need in areas of acute distress. The amendment to H. R. 2851 consisted of the insertion of the text of S. 661 for that of the House bill, and then S. 661 was indefinitely postponed (pp. 9677, 9679-84).
Passed without amendment S. 2170, to permit sale of CCC stocks of basic and storable nonbasic agricultural commodities without restriction where similar commodities are exported in raw or processed form (p. 9685).
10. TEXTILES. Sen. Thurmond inserted a letter, containing the signatures of 1,017 residents of Whitmire, S. C., stating that the reduction of tariffs on imported textile products has had a disastrous effect on the American textile industry (pp. 9657-8).
Sen. Johnston cited the increased textile imports from Japan and said these imports are having an adverse effect on the domestic textile industry (pp. 9686-7).
11. LANDS. Passed without amendment S. 1621, authorizing adjustment of certain obligations of farm settlers (p. 9676). The bill would authorize the Secretary of Agriculture to: (1) Extend to projects developed under the authorities of the Act of August 11, 1939, commonly known as the Wheeler-Case Act, the provisions of certain sections of the Rankin-Jones Farm Tenant Act, as amended, to release debtors of liability under certain conditions; and (2) authorize the Secretary of Agriculture to make adjustments in the terms, conditions and amounts of obligations incurred in connection with the development or operation of a project unit, or in the price at which units on such proj-

United States the offer of a gift to it of the physical memorial to be erected on the Capitol Grounds without cost to the United States Government, substantially in the form as described herein, and to recommend that it be located on the following described site: Square 633 on the drawing of the Architect of the Capitol, located just below the Fountain Plaza area, lies between New Jersey Avenue on the east, Constitution Avenue on the south, Louisiana Avenue diagonally on the northwest, and First Street on the west; that said offer shall be made in the form of a letter to the President of the Senate and Speaker of the House of Representatives and attached thereto shall be a copy of this resolution and a photograph of the architect's sketch of the memorial.

Resolved further, That if and when the Congress accepts said offer of the foundation and upon the approval by the subcommittee of the plans and specifications, and the Architect of the Capitol, or by whomever person or persons required by the Congress to do so, the finance committee shall proceed to secure the necessary funds for the erection of said memorial and upon certification that sufficient funds have been either collected or pledged, and certification that all conditions set forth by the Congress have been complied with, B. CARROLL REECE, president of the foundation, on behalf of the foundation, shall enter into the necessary contracts and agreements for the erection of said memorial.

Resolved further, That anything in this resolution to the contrary notwithstanding, the wording of the scroll and the sculpture which is to be a part of said memorial shall be submitted to the executive committee for approval before submitting said sculpture and scroll to the designated representatives of the Congress for final approval.

Resolved further, That, in accordance with the statements made by the president the substance of these resolutions shall be transmitted to the board of trustees as soon as possible.

Mr. NEUBERGER. Mr. President, I was trying to obtain the floor during the consideration of the concurrent resolution dealing with the proposed memorial to the late Senator Taft, and the joint resolution providing for the creation of a commission to study plans for a memorial honoring the late Franklin D. Roosevelt.

I should like to ask a question of the distinguished chairman of the Committee on Rules and Administration with respect to these memorials.

At the time the Taft Memorial on the Capitol Plaza was first proposed, I received communications from a number of people in my State, including some newspaper editors.

Our State once had a very illustrious Republican Senator who served in this body for 28 years, and was for many years Republican minority leader. I refer to the distinguished late Senator Charles L. McNary.

The writers of these letters ask me this question: Suppose a group of people in the State of Oregon should feel that they would like to raise funds to erect a memorial on the Capitol Plaza to Senator McNary? Naturally it would not be of the dimensions of the memorial proposed to Senator Taft, because that amount of money probably could not be raised in a State with our limited population. But would consideration be given to setting aside a plot of land on the Capitol Plaza so that the citizens of Oregon who are interested in honoring Senator McNary,

who had a very distinguished career in the United States Senate, could likewise obtain ground on the Capitol Plaza for the erection of a memorial—of more modest and limited proportions than the Taft monument—in tribute to Senator McNary?

Mr. GREEN. Of course, to answer the Senator's question directly, there would be no objection to any organization suggesting the erection of a monument to the memory of any great American official, whether he be a general, an admiral, a Member of the Senate, a Member of the House, or any other distinguished American, the monument to be paid for either by subscription or by appropriation.

Perhaps what the Senator has in mind today is to draw attention to the fact that we are establishing a precedent. At the present time there is only one monument on the Capitol Grounds, and that is the monument to Chief Justice John Marshall, which is on the other side of the Capitol Grounds. There is no other monument anywhere on the Capitol Grounds. All the other monuments are in the Capitol.

After some experiences, perhaps similar to the one today, a rule was established in accordance with which each State has the right to place in the Capitol 2 statues in honor of 2 of its citizens. That rule has been carried out.

If the precedent being established today were to be followed similarly, of course, a resolution might be adopted by Congress—I hope it will not be—giving each State the right to erect 2 monuments to 2 of its distinguished citizens on the Capitol Grounds. That would mean almost 200 such monuments on the Capitol Grounds and in the Capitol. Perhaps that is a bit too fanciful. I do not suppose such a proposal would be made. However, based on the precedent today, it could very well be.

If the Senator wishes to carry out his idea, it seems to me we might consider a resolution which would establish a general rule under which monuments on the Capitol Grounds might be erected under certain conditions. The pending matter was acted on as an individual project.

Mr. NEUBERGER. I thank the distinguished chairman of the Committee on Rules and Administration. Let me add that there was absolutely no derogation of the purpose of the erection of the proposed memorial to Senator Taft implied in what I said. I should state to the Senator also, because it may interest him to know it, that the only criticism which I received from my State of the proposed memorial to Senator Taft came from a very strongly Republican newspaper, edited in the capital of my State, and owned by a former distinguished Republican Governor of Oregon.

However, the general tenor of the letters I received merely asked, because of reverence for the memory of Senator Charles L. McNary, whether Senator McNary could be honored with a monument on the Capitol Grounds.

Mr. GREEN. I believe all of us have probably received similar letters, inquiring whether monuments could be erected

to the memory of Senator Webster or Senator Calhoun, for example.

Mr. NEUBERGER. While consideration is being given to the erection of the Taft memorial, I believe the record should be clear that if in the future it is proposed to honor Senator Webster, or Senator McNary, or Senator Norris, or Senator Vandenberg, or Senator Calhoun, or whomever it may be, parallel consideration may be given to placing on the Capitol grounds monuments in honor of those illustrious men.

Mr. GREEN. Congress has a right to do anything it wishes to do. It could authorize such statues. It could also qualify or add certain conditions to the erection of such statues. If I may express a personal opinion—not of the committee—it might be well if we could establish a general rule to be applied in such cases, just as there is now a rule with respect to the erection of statues in the Capitol.

Mr. CHAVEZ. Mr. President, I am in favor of the resolution. However, I wish to say to my good friend from the State of Oregon that I served with Senator McNary, and I believe the adoption of the resolution will help the idea the Senator from Oregon has in mind. We are establishing a precedent. I believe Senator McNary deserves a place in American history.

Mr. NEUBERGER. I thank the Senator from New Mexico for his kind remarks about Senator McNary.

Mr. CHAVEZ. I knew Senator McNary very well. I knew him from the first day he served in the Senate. At that time I was a clerk in the Senate. I not only knew him personally very well, but I always thought he was a great American citizen. I believe the idea the Senator from Oregon has in mind, that the people of Oregon may some day wish to honor Senator McNary will be enhanced if we adopt the resolution, because we will be establishing a precedent.

Mr. NEUBERGER. To indicate the extent of my admiration for Senator McNary I should state that, although I have been a registered Democrat since the day I reached my 21st birthday, on the only two occasions when I had an opportunity to vote for Senator McNary, which was in 1936 and in 1942, I voted for him rather than for his Democratic opponent, because of my admiration for Senator McNary's progressive viewpoint and his character and integrity.

PRINTING OF REPORT ON THE PRAYER ROOM IN THE CAPITOL

The concurrent resolution (H. Con. Res. 90) authorizing the preparation and printing of a report on the Prayer Room established in the Capitol was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HEARINGS HELD BY THE JOINT COMMITTEE ON ATOMIC ENERGY

The concurrent resolution (H. Con. Res. 148) authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic

Energy on May 9, 1955, on "Radiation Sterilization of Foods," was considered and agreed to.

BILL PASSED OVER

The bill (H. R. 4744) to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

ADJUSTMENT OF CERTAIN OBLIGATIONS OF SETTLERS

The bill (S. 1621) to authorize adjustment by the Secretary of Agriculture of certain obligations of settlers on projects developed or subject to the act of August 11, 1939, as amended, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the provisions of sections 41 (g), 43, and 51 of the Bankhead-Jones Farm Tenant Act, as amended (7 U. S. C. 1015 (g), 1017, and 1025), are hereby extended to apply on the obligations of settlers on projects developed under the act of August 11, 1939, as amended (16 U. S. C. 590y-z), or similar projects under the water conservation and use item of the Department of the Interior Appropriation Act, 1940, as amended (53 Stat. 719), of the type incurred in accordance with section 5 of said act (16 U. S. C. 590z-3), or other obligations to or administered by the Secretary of Agriculture incurred in connection with the development or operation of the project unit, and the Secretary is authorized to make make such additional adjustments in the terms and conditions and amounts of any such obligations of such persons or in the price at which project units are sold to settlers as may be reasonably necessary to permit such persons to acquire, develop, and establish successful farming operations on their farm units and repay such adjusted obligations.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (S. 2297) to further amend the Agricultural Adjustment Act of 1938, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 312 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1312), is hereby amended to read as follows:

"SEC. 312. (a) The Secretary shall, not later than December 1 of any marketing year, proclaim a national marketing quota for any kind of tobacco for each of the next 3 succeeding marketing years whenever he determines with respect to such kind of tobacco—

"(1) that a national marketing quota has not previously been proclaimed and the total supply as of the beginning of such marketing year exceeds the reserve supply level thereof;

"(2) that such marketing year is the last year of 3 consecutive years for which mar-

keting quotas previously proclaimed will be in effect;

"(3) that amendments have been made in provisions for establishing farm acreage allotments which will cause material revision of such allotments before the end of the period for which quotas are in effect; or

"(4) that a marketing quota previously proclaimed for such marketing year is not in effect because of disapproval by producers in a referendum held pursuant to subsection (c): *Provided*, That if such producers have disapproved national marketing quotas in referenda held in 3 successive years subsequent to 1952, thereafter a national marketing quota shall not be proclaimed hereunder which would be in effect for any marketing year within the 3-year period for which national marketing quotas previously proclaimed were disapproved by producers in a referendum, unless prior to November 10 of the marketing year one-fourth or more of the farmers engaged in the production of the crop of tobacco harvested in the calendar year in which such marketing year begins petition the Secretary, in accordance with such regulations as he may prescribe, to proclaim a national marketing quota for each of the next 3 succeeding marketing years.

"(b) The Secretary shall also determine and announce, prior to the 1st day of December, the amount of the national marketing quota proclaimed pursuant to subsection (a) which is in effect for the next marketing year in terms of the total quantity of tobacco which may be marketed which will make available during such marketing year a supply of tobacco equal to the reserve supply level. The amount of the national marketing quota so announced may, not later than the following March 1, be increased by not more than 20 percent if the Secretary determines that such increase is necessary in order to meet market demands or to avoid undue restrictions of marketings in adjusting the total supply to the reserve supply level.

"(c) Within 30 days after the proclamation of national marketing quotas under subsection (a), the Secretary shall conduct a referendum of farmers engaged in the production of the crop of tobacco harvested immediately prior to the holding of the referendum to determine whether such farmers are in favor of or opposed to such quotas for the next 3 succeeding marketing years. If more than one-third of the farmers voting oppose the national marketing quotas, such results shall be proclaimed by the Secretary and the national marketing quotas so proclaimed shall not be in effect but such results shall in no wise affect or limit the subsequent proclamation and submission to a referendum, as otherwise provided in this section, of a national marketing quota."

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938 RELATING TO TOBACCO ALLOTMENTS

The Senate proceeded to consider the bill (S. 2296) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, at the beginning of line 6, to insert "(j)"; in the same line, after the word "farm", to insert "in 1955 or any subsequent year"; and at the beginning of line 8, to strike out "has been" and insert "was", so as to make the bill read:

Be it enacted, etc., That section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new subsection:

"(j) The production of tobacco on a farm in 1955 or any subsequent year for which

no farm acreage allotment was established shall not make the farm eligible for an allotment as an old farm under subsections (b) and (g) hereof: *Provided, however*, That by reason of such production the farm need not be considered as ineligible for a new farm allotment under subsections (e) and (g) hereof, but such production shall not be deemed past tobacco experience for any producer on the farm."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF TITLE V OF THE AGRICULTURAL ACT OF 1948

The Senate proceeded to consider the bill (H. R. 3822) to amend title V of the Agricultural Act of 1949, as amended, which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 1, line 5, after the numerals "30", to strike out "1959" and insert "1957."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF SECTION 313 OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

The Senate proceeded to consider the bill (S. 2295) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments, which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 1, at the beginning of line 6, to insert "(j)", so as to make the bill read:

Be it enacted, etc., That section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new subsection:

"(j) In establishing farm acreage allotments for burley tobacco crops for the years 1956, 1957, and 1958 the acreage allotment for any farm which has not been retired from agricultural production shall not be reduced below the acreage allotment which would otherwise be established because the harvested acreage was less than the allotted acreage unless the acreage harvested was less than 50 percent of the allotted acreage in each of the preceding 5 years, in which event it shall not be reduced for such reason to less than the largest acreage harvested in any year in such 5-year period."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2170) to permit sale of Commodity Credit Corporation stocks of basic and storable nonbasic agricultural commodities without restriction where similar commodities are exported in raw or processed form was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

84TH CONGRESS
1ST SESSION

S. 2295

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1955

Referred to the Committee on Agriculture

AN ACT

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 313 of the Agricultural Adjustment Act of
4 1938, as amended, is amended by adding at the end thereof
5 the following new subsection:

6 “(j) In establishing farm acreage allotments for burley
7 tobacco crops for the years 1956, 1957, and 1958 the
8 acreage allotment for any farm which has not been retired
9 from agricultural production shall not be reduced below the
10 acreage allotment which would otherwise be established
11 because the harvested acreage was less than the allotted

AN ACT

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

JULY 25, 1955

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 26, 1955
For actions of July 25, 1955
84th-1st, No. 125

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HIGHLIGHTS: Senate passed bill to amend rice quota law. Senate made supplemental appropriation bill its unfinished business. House committee reported bills to amend the Sugar Act, tobacco allotments-quotas law, and rice quota law.

SENATE

1. RICE. Passed without amendment S. 2573, to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, to provide that in States where farm rice acreage allotments are established on a producer basis only the past plantings of rice by the producer within the State and acreage allotments previously established in the State for the producers would be used in determining such allotments (p. 9785).
2. RIVER COMPACT. Passed as reported S. 730, to authorize a water compact between Kans. and Okla. for the waters of the Ark. River and its tributaries as they affect such States (p. 9777).
3. RECLAMATION. Passed over, upon requests of Sens. Ervin and Ellender, S. 2442, to provide for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects (p. 9779).
Passed as reported S. 926, to authorize the Secretary of the Interior to construct, operate, and maintain the Ventura River reclamation project, Calif., and S. 1194, to provide for construction by the Secretary of the Interior of Red Willow Dam and Reservoir, Nebr., as a unit of the Mo. River Basin project (pp. 9797-9801).

4. WATER RESOURCES. Agreed to the conference report on H. R. 3990, to authorize the Interior Department to investigate and report to Congress on the water resources in Alaska (pp. 9784-5).
5. APPROPRIATIONS. Made its unfinished business H. R. 7278, the supplemental appropriation bill for 1956 (p. 9803).
6. ELECTRIFICATION; WHEAT. Sen. Neuberger inserted Oregon Grange resolutions urging the return of certain hi-lines to the Bonneville Power Administration and favoring a two-price plan for wheat (p. 9763).
7. ST. LAWRENCE SEAWAY. Sen. Wiley announced that S. Doc 165, the manual on the Great Lakes-St. Lawrence seaway, has been released. He stated that the document contains a complete history of the seaway, a description of all of its economic, engineering, power, maintenance, legal, and other ramifications (pp. 9769-72).
8. REGULATORY AGENCIES. Sen. Sparkman expressed concern over "the growing practice of the executive branch of the Government to usurp the power of the legislative branch of the Government through perversion of the regulatory agencies" (pp. 9787-8).
9. TRANSPORTATION. Sen. Butler inserted a Maryland Farm News article, "Baltimore: the Port That Helped Agriculture," outlining reasons for Baltimore's importance in the development of agricultural trade, with special reference to the ability of the grain "mixers" (p. 9790).
10. GOVERNMENT SECURITY. Sen. Wiley announced that S. Doc. 40, the revised edition of the Internal Security Manual, has been released, and inserted Scott McLeod's letter commending this publication, with particular reference to Parts III and IV which relate especially to employee security programs (p. 9659, July 22).

HOUSE

11. COMMODITY CREDIT CORPORATION. Received a draft of proposed legislation from the USDA, to increase the borrowing power of the CCC from \$10 to \$12 billion, referred to Banking and Currency Committee (p. 9862). Bills have been introduced in both Houses to execute the provisions of this proposal.
Conferees were appointed on H. R. 2851, to make agricultural commodities owned by the CCC available to persons in need in areas of acute distress (p. 9850). Senate conferees have not yet been appointed.
12. SUGAR. The Agriculture Committee reported with amendment H. R. 7030, to amend and extend the Sugar Act of 1948 (H. Rept. 1348) (p. 9863).
13. TOBACCO. The Agriculture Committee ~~reported with amendment H. R. 6846, to provide for tobacco allotments on farms with no previously established quota (H. Rept. 1358); and reported without amendment H. R. 6847, to provide for the establishment of burley tobacco allotments (H. Rept. 1359), and H. R. 6845, to establish national marketing quotas for tobacco (H. Rept. 1360) (p. 9863).~~
14. RICE. The Agriculture Committee reported without amendment H. R. 7302, to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938 (H. Rept. 1361) (p. 9863).

BURLEY TOBACCO ALLOTMENTS

JULY 25, 1955.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H. R. 6847]

The Committee on Agriculture to whom was referred the bill (H. R. 6847) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

Under the present provisions of law a farmer having a burley tobacco acreage allotment must plant as much as 75 percent of his allotment during 1 of 3 consecutive years in order to prevent his allotment from being reduced because of underplanting. It has come to the attention of the committee that there are farms with burley tobacco acreage where the operator is engaged primarily in some other type of agriculture and where he is obviously planting his burley tobacco acreage every 3 years in order merely to keep the farm allotment, in case he should at some time want to utilize all of it.

Because of the surplus burley tobacco situation, which has led to sharp curtailment of marketing quotas during the current year, it seems desirable to the committee to make it possible for farmers with burley tobacco allotments to retain those allotments without necessity of planting 75 percent of the allotment every 3 years. This bill will therefore, for the next 3 crop-years, permit a burley tobacco grower to retain his allotment without reduction because of underplanting if he has planted as much as 50 percent of that allotment in any one of the preceding 5 years.

DEPARTMENTAL VIEWS

Following is the letter from the Department of Agriculture recommending approval of this legislation:

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., July 20, 1955.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR SENATOR COOLEY: This is in reply to your request for the Department's views on H. R. 6847, a bill to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

The Department recommends that the bill be passed.

The bill is applicable only to burley tobacco during the next 3 years. The surplus burley tobacco situation led to the enactment of Public Law 21, 84th Congress, under which the 1955 burley national marketing quota and State and farm acreage allotments were reduced. H. R. 6847 provides that for the next 3 years (1956-58) the burley tobacco acreage allotment for a farm (other than a farm retired from agricultural production) would not be reduced because of underplanting if as much as 50 percent of the farm acreage allotment was harvested in any one of the preceding 5 years. If less than 50 percent of the allotment was harvested in each of the preceding 5 years, the allotment would not be reduced for such reason to less than the largest acreage harvested in any year in such 5-year period.

Under present regulations of the Department, the acreage allotment for a farm is not reduced because of underplanting if the acreage of tobacco harvested on the farm during any one of 3 consecutive years is as much as 75 percent of the farm acreage allotment.

In carrying out the provisions of H. R. 6847 no additional funds would be required.

The proper letter designation should be assigned the new subsection added at the end of section 313 of the Agricultural Adjustment Act of 1938, as amended.

In view of Mr. Heimburger's telephone request of July 20 that this report be submitted immediately we have not obtained advice from the Bureau of the Budget as to the relationship of the proposed legislation to the program of the President.

Sincerely,

EARL L. BUTZ, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

TITLE III—PARITY PAYMENTS, CONSUMER SAFEGUARDS, AND
MARKETING QUOTAS

* * * * *

SEC. 313. (a) The national marketing quota for tobacco * * *.

() *In establishing farm acreage allotments for burley tobacco crops for the years 1956, 1957, and 1958 the acreage allotment for any farm which has not been retired from agricultural production shall not be reduced below the acreage allotment which would otherwise be established because the harvested acreage was less than the allotted acreage unless the acreage harvested was less than 50 per centum of the allotted acreage in each of the preceding five years, in which event it shall not be reduced for such reason to less than the largest acreage harvested in any year in such five-year period.*

84TH CONGRESS
1ST SESSION

H. R. 6847

[Report No. 1359]

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1955

Mr. WATTS introduced the following bill; which was referred to the Committee on Agriculture

JULY 25, 1955

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 313 of the Agricultural Adjustment Act of
4 1938, as amended, is amended by adding at the end thereof
5 the following new subsection:

6 “*In establishing farm acreage allotments for burley*
7 *tobacco crops for the years 1956, 1957, and 1958 the acreage*
8 *allotment for any farm which has not been retired from agri-*
9 *cultural production shall not be reduced below the acreage*
10 *allotment which would otherwise be established because the*

1 harvested acreage was less than the allotted acreage unless
 2 the acreage harvested was less than 50 per centum of the
 3 allotted acreage in each of the preceding five years, in which
 4 event it shall not be reduced for such reason to less than the
 5 largest acreage harvested in any year in such five-year
 6 period.”

Union Calendar No. 438

84TH CONGRESS
1ST SESSION

H. R. 6847

[Report No. 1359]

A BILL

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

By Mr. WATTS

JUNE 15, 1955

Referred to the Committee on Agriculture

JULY 25, 1955

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

agricultural experiment stations which has been encouraged and supported by the Hatch Act of 1887, the Adams Act of 1906, the Purnell Act of 1925, the Bankhead-Jones Act of 1935, and title I, section 9, of that act as added by the act of August 14, 1946, and acts amendatory and supplementary thereto, and to promote the efficiency of such research by a codification and simplification of such laws. As used in this act, the terms 'State' or 'States' are defined to include the several States, Alaska, Hawaii, and Puerto Rico. As used in this act, the term 'State agricultural experiment station' means a department which shall have been established, under direction of the college or university or agricultural departments of the college or university in each State in accordance with an act approved July 2, 1862 (12 Stat. 503), entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts'; or such other substantially equivalent arrangements as any State shall determine.

"SEC. 2. It is further the policy of the Congress to promote the efficient production, marketing, distribution, and utilization of products of the farm as essential to the health and welfare of our peoples and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum employment and national prosperity and security. It is also the intent of Congress to assure agriculture a position in research equal to that of industry, which will aid in maintaining an equitable balance between agriculture and other segments of our economy. It shall be the object and duty of the State agricultural experiment stations through the expenditure of the appropriations herein-after authorized to conduct original and other researches, investigations, and experiments bearing directly on and contributing to the establishment and maintenance of a permanent and effective agricultural industry of the United States, including researches basic to the problems of agriculture in its broadest aspects, and such investigations as have for their purpose the development and improvement of the rural home and rural life and the maximum contribution by agriculture to the welfare of the consumer, as may be deemed advisable, having due regard to the varying conditions and needs of the respective States.

"SEC. 3. (a) There are hereby authorized to be appropriated for the purposes of this act such sums as Congress may from time to time determine to be necessary.

"(b) Out of such sums each State shall be entitled to receive annually a sum of money equal to and subject to the same requirement as to use for marketing research projects as the sums received from Federal appropriations for State agricultural experiment stations for the fiscal year 1955, except that amounts heretofore made available from the fund known as the 'Regional research fund, Office of Experiment Stations' shall continue to be available for the support of cooperative regional projects as defined in subsection 3 (c) (3), and the said fund shall be designated 'Regional research fund, State agricultural experiment stations,' and the Secretary of Agriculture shall be entitled to receive annually for the administration of this act, a sum not less than that available for this purpose for the fiscal year ending June 30, 1955: *Provided*, That if the appropriations hereunder available for distribution in any fiscal year are less than those for the fiscal year 1955 the allotment to each State and the amounts for Federal administration and the regional research fund shall be reduced in proportion to the amount of such reduction.

"(c) Any sums made available by the Congress in addition to those provided for in subsection (b) hereof for State agricultural

experiment station work shall be distributed as follows:

"1. Twenty percent shall be allotted equally to each State;

"2. Not less than 52 percent of such sums shall be allotted to each State, as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of the State bears to the total rural population of all the States as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and one-half in an amount which bears the same ratio to the total amount to be allotted as the farm population of the State bears to the total farm population of all the States as determined by the last preceding decennial census current at the time such additional sum is first appropriated;

"3. Not more than 25 percent shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes, together with funds available pursuant to subsection (b) hereof for like purpose shall be designated as the 'Regional research fund, State agricultural experiment stations', and shall be used only for such cooperative regional projects as are recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations, and approved by the Secretary of Agriculture. The necessary travel expenses of the committee of nine persons in performance of their duties may be paid from the fund established by this paragraph.

"4. Three percent shall be available to the Secretary of Agriculture for administration of this act.

"(d) Of any amount in excess of \$90,000 available under this act for allotment to any State, exclusive of the regional research fund, State agricultural experiment stations, no allotment and no payments thereof shall be made in excess of the amount which the State makes available out of its own funds for research and for the establishment and maintenance of facilities necessary for the prosecution of such research: *And provided further*, That if any State fails to make available for such research purposes for any fiscal year a sum equal to the amount in excess of \$90,000 to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary of Agriculture.

"(e) 'Administration' as used in this section shall include participation in planning and coordinating cooperative regional research as defined in subsection 3 (c) 3.

"(f) In making payments to States, the Secretary of Agriculture is authorized to adjust any such payment to the nearest dollar.

"SEC. 4. Moneys appropriated pursuant to this act shall also be available, in addition to meeting expenses for research and investigations conducted under authority of section 2, for printing and disseminating the results of such research, retirement of employees subject to the provisions of an act approved March 4, 1940 (54 Stat. 39), administrative planning and direction, and for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. The State agriculture experiment stations are authorized to plan and conduct any research authorized under section 2 of this act in cooperation with each other and such other agencies and individuals as may contribute to the solution of the agricultural problems involved, and moneys appropriated pursuant to this act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

"SEC. 5 Sums available for allotment to the States under the terms of this act, excluding the regional research fund authorized by

subsection 3 (c) 3, shall be paid to each State agricultural experiment station in equal quarterly payments beginning on the first day of July of each fiscal year upon vouchers approved by the Secretary of Agriculture. Each such station authorized to receive allotted funds shall have a chief administrative officer known as a director, and a treasurer or other officer appointed by the governing board of the station. Such treasurer or other officer shall receive and account for all funds allotted to the State under the provisions of this act and shall report, with the approval of the director, to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount received under provisions of this act during the preceding fiscal year, and of its disbursement on schedules prescribed by the Secretary of Agriculture. If any portion of the allotted moneys received by the authorized receiving officer of any State agricultural experiment station shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to such State.

"SEC. 6. Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the experiment stations, shall be transmitted in the mails of the United States under penalty indicia: *Provided, however*, That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of the station or from an established subunit of said station.

"SEC. 7. The Secretary of Agriculture is hereby charged with the responsibility for the proper administration of this act, and is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this act, including participation in coordination of research initiated under this act by the State agricultural experiment stations, from time to time to indicate such lines of inquiry as to him seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several State agricultural experiment stations, and between the stations and the United States Department of Agriculture.

"On or before the first day of July in each year after the passage of this act, the Secretary of Agriculture shall ascertain as to each State whether it is entitled to receive its share of the annual appropriations for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive.

"Whenever it shall appear to the Secretary of Agriculture from the annual statement of receipts and expenditures of funds by any State agricultural experiment station that any portion of the preceding annual appropriation allotted to that station under this act remains unexpended, such amount shall be deducted from the next succeeding annual allotment to the State concerned.

"If the Secretary of Agriculture shall withhold from any State any portion of the appropriations available for allotment, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress shall not direct such sum to be paid, it shall be carried to surplus.

"The Secretary of Agriculture shall make an annual report to the Congress during the first regular session of each year of the re-

ceipts and expenditures and work of the agricultural experiment stations in all the States under the provisions of this act and also whether any portion of the appropriation available for allotment to any State has been withheld and if so the reasons therefor.

"SEC. 8. Nothing in this act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction State agricultural experiment stations have been established and the government of the States in which they are respectively located. States having agricultural experiment stations separate from such colleges or universities and established by law, shall be authorized to apply such benefits to research at stations so established by such States: *Provided*, That in any State in which more than one such college, university, or agricultural experiment station has been established the appropriations made pursuant to this act for such State shall be divided between such institutions as the legislature of such State shall direct.

"SEC. 9. The Congress may at any time, amend, suspend, or repeal any or all of the provisions of this act."

SEC. 2. The following listed sections or parts of sections of the Statutes at Large heretofore covering the provisions consolidated in this act are hereby repealed: *Provided, however*, That any rights or liabilities existing under such repealed sections or parts of sections shall not be affected by their repeal:

Bankhead-Jones Act, title I, sections 2 to 8, June 29, 1935 (49 Stat. 436; 7 U. S. C. 427a-g).

Section 9, and related provisions of section 11 of the Bankhead-Jones Act, title I, as added by title I of the Research and Marketing Act (60 Stat. 1082; 7 U. S. C. 427h, 427j).

Department of Agriculture Organic Act of 1944, title I, section 105, amending the Bankhead-Jones Act, title I, section 5, by adding subsection (c) (58 Stat. 735; 7 U. S. C. 427d).

Act approved June 7, 1888, amending the Hatch Act (25 Stat. 176; 7 U. S. C. 372).

Adams Act approved March 16, 1906 (34 Stat. 63; 7 U. S. C. 369, 371, 373, 366, 374, 375, 361, 376, 380, 382).

Purnell Act approved February 24, 1925 (43 Stat. 970; 7 U. S. C. 370, 371, 373, 374, 375, 376, 366, 361, 380, 382).

The acts extending the benefits of the foregoing acts to the Territory of Hawaii, the Territory of Alaska, and Puerto Rico; Hawaii, act of May 16, 1928 (45 Stat. 571; 7 U. S. C. 386, 386a, 386b); Alaska, act of June 20, 1936 (49 Stat. 1553), as amended by Public Law 739, approved August 29, 1950 (7 U. S. C. 369a); Alaska, act of February 23, 1929 (45 Stat. 1256; 7 U. S. C. 386c); Puerto Rico, act of March 4, 1931 (46 Stat. 1520; 7 U. S. C. 386d, e, f).

Such portion of the Department of Agriculture Appropriation Act of 1890, approved March 2, 1889, as related to examination of soils by experimental stations (25 Stat. 841; 7 U. S. C. 364).

That part of the act of October 1, 1918, relating to the Georgia Agricultural Experiment Station (40 Stat. 998; 7 U. S. C. 383).

With the following committee amendments:

Page 5, after line 22, insert a new paragraph 4, as follows:

"4. Not less than 20 percent of any sums appropriated pursuant to this subsection for distribution to States shall be used by State agricultural experiment stations for conducting marketing research projects approved by the Department of Agriculture."

Page 5, line 23, change paragraph "4" to "5."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOBACCO ALLOTMENTS

The Clerk called the bill (H. R. 6846) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HESELTON. Reserving the right to object, I should like to have an explanation of the bill.

Mr. ABBITT. Mr. Speaker, this bill amends the tobacco allotment act. It will further tighten the allotment laws by providing that, beginning in 1955, production of tobacco on a farm will not make the farm eligible for an allotment in any subsequent year as an old farm nor will the growing of such tobacco be considered past experience in tobacco production for the producer. The bill clarifies existing law by making it clear that production of tobacco without a quota will not prevent the farm from being eligible for a new farm allotment. It will permit a farmer to come in and get credit for the allotment that is allowed to new farmers. That was an omission in the law we passed early this year. This will fix it so that new farmers can come in and share in the new allotment.

Mr. HESELTON. May I inquire where the persons who receive these additional allotments will be located?

Mr. ABBITT. Whoever can qualify as a new grower will be entitled to get his proportionate share of the allotment set aside for new growers.

Mr. HESELTON. What if any connection is there between this bill and the following bill on the calendar?

Mr. ABBITT. They are separate matters, though both deal with tobacco allotments.

Mr. HESELTON. I withdraw my reservation of objection, Mr. Speaker.

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Speaker, why do you have three bills in here?

Mr. ABBITT. They were introduced by the gentleman from Kentucky [Mr. WATTS]. They deal with separate matters.

Mr. HOFFMAN of Michigan. What is the difference?

Mr. ABBITT. One of them deals with the new grower allotment I have just told you about, another deals with allotments for burley tobacco, and the other deals with allotments so that the farmers in Maryland will not have to go every year but can vote once every third year if that is what they desire.

Mr. HOFFMAN of Michigan. I withdraw my reservation, Mr. Speaker.

Mr. DEANE. Reserving the right to object, Mr. Speaker, does this bill refer both to flue-cured and burley tobacco?

Mr. ABBITT. It refers to all tobacco.

Mr. DEANE. I have a constituent who would like to be heard on this matter.

I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

TOBACCO ALLOTMENTS

The Clerk called the bill (H. R. 6847) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BURNSIDE. Mr. Speaker, reserving the right to object, I should like to have an explanation of the bill.

Mr. ABBITT. H. R. 6847 applies only to burley tobacco.

Mr. BURNSIDE. Mr. Speaker, I am vitally interested in burley tobacco and I want to know how it applies to burley tobacco.

Mr. ABBITT. Under the present law, a grower of burley tobacco must plant as much as 75 percent of his allotment during any 1 of 3 consecutive years. As the gentleman knows, there is a tremendous surplus of burley tobacco and this bill merely provides that if he plants as much as 50 percent of his allotment in any 1 of 5 consecutive years, he does not lose his allotment.

Mr. BURNSIDE. Mr. Speaker, I object.

AMENDING TOBACCO REFERENDUM LAWS

The Clerk called the bill (H. R. 6845) to further amend the Agricultural Adjustment Act of 1938, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HESELTON. Mr. Speaker, reserving the right to object, may we have an explanation of this bill?

Mr. ABBITT. Mr. Speaker, this was the bill which I started to explain by mistake just a moment ago. This bill provides for substantial improvement of administrative practices under section 312 of the Agricultural Adjustment Act of 1938 dealing with the establishment of national tobacco marketing quotas. Under the present law, they have to have an election as to whether or not the tobacco farmers desire to have quotas for 1 year or for 3 years or whether they want no quotas at all. This bill permits them to have a referendum on the single question of marketing quotas for 3 years or not at all. Under the present law, for instance, in Maryland they have to vote this year and then again next year and this is simply to permit them to vote on market quotas for 3 years.

Mr. HESELTON. I notice that the Department of Agriculture wrote a letter to the chairman of the committee dated July 20. In view of that date, may I inquire whether any action has

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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For actions of August 1, 1955
84th-1st, No. 131

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For Highlights see page 7.

HOUSE

1. CCC BORROWING POWER. Passed without amendment S. 2604, to increase the borrowing power of CCC from \$10 billion to \$12 billion (pp. 10960-1). This bill will now be sent to the President.
2. FARM CREDIT. Concurred in the Senate amendment to H. R. 5168, to provide for retirement of the Government capital in certain institutions operating under FCA supervision and to increase borrower participation in the management and control of the Federal Farm Credit System (p. 11016). This bill will now be sent to the President.
3. TOBACCO. Passed without amendment S. 2295, to provide that, in establishing farm acreage allotments for burley tobacco crops for 1956, 1957, and 1958, the acreage allotment for any farm which has not been retired from agricultural production shall not be reduced below the acreage allotment which would otherwise be established unless the acreage harvested was less than 50% of the allotted acreage in each of the preceding 5 years, in which event it shall not be reduced to less than the largest acreage harvested in any year in such 5-year period (p. 11024). This bill will now be sent to the President.

4. PERSONNEL. Agreed to H. Res. 305, to make available \$75,000 to the Post Office and Civil Service Committee for investigations of personnel administration, etc. (p. 10955).
5. APPROPRIATIONS. Passed without amendment H. J. Res. 434, to continue at the existing rate legislative appropriations for the fiscal year 1956, in view of the conferees' disagreement regarding H. R. 7117, the regular legislative appropriation bill (pp. 11028-9).
6. PUBLIC LANDS; MINING. Agreed to the conference report on H. R. 100, to permit the mining, development, and utilization of the mineral resources of all public land withdrawn or reserved for power development (p. 10952). This bill will now be sent to the President.
Concurred in the Senate amendment to H. R. 6994, to provide for entry and location, on discovery of a valuable source material, upon public lands classified as or known to be valuable for coal (p. 10954). This bill will now be sent to the President.
7. INTERNATIONAL FINANCE CORPORATION. Passed without amendment S. 1894, to provide for U. S. participation in the International Finance Corporation (pp. 10962-5). This bill will now be sent to the President.
8. BANKING AND CURRENCY. Passed without amendment S. 1189, to permit national banks to make 20-year real estate loans and 9-month residential construction loans (pp. 10965-6). This bill will now be sent to the President.
Rep. Patman criticized administration of the Federal Reserve System and the office of the Comptroller of the Currency (pp. 11036-8).
9. WATER COMPACT. Passed without amendment S. 730, consenting to a compact between Kans. and Okla. regarding Ark. River waters (p. 11011). This bill will now be sent to the President.
10. RECLAMATION. Both Houses received a message from the President stating that he had approved H. R. 103, to provide for construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies, but objecting to various provisions of the bill and recommending legislation to change these provisions (H. Doc. 223); to Interior and Insular Affairs Committees (pp. 11028, 10833-4).
11. FLAMMABLE FABRICS. Rejected, 46-108, a resolution for consideration of H. R. 5222, amending the Flammable Fabrics Act to exempt scarves which do not present an unusual hazard (pp. 11028-33).
12. FARM PRICES. Rep. Abernethy deplored the reductions in farm prices (p. 10953).
13. FOOD ADDITIVES. Rep. O'Hara, Minn., explained the revised bills, H. R. 7605 and 7606, to provide for regulation of chemical food additives (p. 11023).
14. REORGANIZATION. Rep. Patman criticized the recommendations and procedures of the Hoover Commission (pp. 11038-9).
15. DAIRY INDUSTRY. Rep. Laird commended the progress in getting rid of the dairy surplus and indicated his belief that the dairy industry has a good future (pp. 11039-40).
16. CIVIC AUDITORIUM. The Speaker appointed members to the commission to plan a civic auditorium in D. C. (p. 11028).

mittee on the Judiciary after consultation with the Committee on Armed Services and has been sponsored by the Department of Defense with the approval of the Bureau of the Budget.

Please let me state as emphatically as I am able that this bill is not designed to make a single substantive change in existing law.

As a matter of fact we have gone to the extreme of inserting in the bill a provision—section 50—that it is the legislative purpose to restate the existing law without substantive change. Moreover, there is a line of United States Supreme Court decisions applying the well-known canon of statutory construction that in this type of bill even though Congress changes the language of the existing law the court will construe it as a continuation of existing law without substantive change unless Congress clearly manifests an intention to make such substantive changes.

Any undue fears about this bill on that score should be allayed in view of the following:

First. The canon of statutory construction just referred to will be applied;

Second. The interpretation clause contained in § 50 and in other savings provisions in the bill, together with similar statements contained in the committee report, clearly manifest the intention of Congress to make no substantive change; and

Third. The bill has been most carefully prepared over a period of almost 8 years. During that period the several military departments and the Department of Defense have assigned from time to time extremely capable and expert personnel. Although I do not want to slight any individual connected with the work by omitting mention of his name I believe it is appropriate to mention the fine work and cooperation of the following:

For the Office of the Secretary of Defense: Dr. F. Reed Dickerson.

For the Department of the Army: Col. Alfred C. Bowman, Col. Archibald King, and Lt. Col. Joseph P. Ramsay.

For the Department of the Navy: Lt. Col. George M. Lhamon (USMC), Comdr. Earle Bennett, Comdr. Enser W. Cole, Comdr. Katherine E. Shilling, Lt. Cmdr. Charles J. Murphy, and Lt. William J. Bryson.

For the Department of the Air Force: Morrison.

From the very beginning the Committee on the Judiciary has been closely associated in the drafting of the bill by its law revision counsel, Dr. Charles J. Zinn and during recent months, Cyril F. Brickfield, assistant law revision counsel.

Mr. Speaker, the Committee on the Judiciary and the Congress is committed to this extremely important task of enacting into law all 50 titles of the United States Code and thus far we have so enacted 11 titles. I know of no other general aspect of congressional activity that is as important to the Congress, the courts, the executive branch and to the public. I sincerely hope that no Member will hamper this work because of vague, unfounded fears or by offering

controversial substantive amendments. We shall be happy to answer any specific questions or objections to the bill but we beg the membership not to oppose it without good reason.

This program has enjoyed the confidence of the Congress up to this point and we cannot hope to accomplish anything further without that confidence. No one can seriously believe that we would be dishonest or foolish enough to jeopardize the entire program by attempting to include surreptitious changes in substantive law in this bill.

[Mr. REES of Kansas addressed the House. His remarks will appear hereafter in the Appendix.]

CORRECTION OF VOTE

Mr. HOLIFIELD. Mr. Speaker, on rollcall No. 135 I am recorded as not voting. I was present and voted "aye" on House Resolution 317 to consider the amendment to the Natural Gas Act. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FOOD AND DRUG ACT

(Mr. O'HARA of Minnesota asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. O'HARA of Minnesota. Mr. Speaker, H. R. 7605 and H. R. 7606 introduced by Congressman PRIEST and myself, respectively, are successor bills to H. R. 4099 and H. R. 4100, also introduced by us.

H. R. 7605 and 7606 differ from H. R. 4099 and 4100 in that the provision setting up an advisory committee is completely eliminated. Additionally, the provision requiring the Secretary to take into consideration the functional value of the proposed additive is eliminated.

There has been added a provision consistent with existing provisions of the Food, Drug, and Cosmetic Act prohibiting any person from using or revealing information acquired under the new food additives section. The term "new chemical additive" has been changed to "new food additive" as being more definitive of the subject.

Language changes have been made to eliminate possible inconsistencies between section 409 of the new bill and section 406 of the present Food and Drug Act. The new bills would require the Secretary to take action on an application within a specified period, and the appeals provisions are broadened to give increased protection to any person adversely affected by any action of the Secretary under section 409. No other major changes are involved.

The definition of "new food additive" is essentially the same as that of "new chemical additive" used in H. R. 4099 and 4100. A slight rearrangement of language has been made for the sake of clarity. H. R. 7605 and 7606 would continue to use the administrative procedure approach in considering applications subject to appeal to the United

States court of appeals in any proceeding arising under the amendment. Except for clarifying language changes and strengthening the right of appeal from adverse decisions of the Secretary, this provision remains the same as in H. R. 4099 and 4100.

The purpose of introducing these revised bills at this time is to give all interested groups an opportunity to study the amendatory legislation.

FRED P. HINES

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 204) for the relief of Fred P. Hines.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to pay, out of any money available for the payment of compensation and allowances to veterans, to Fred P. Hines (C. 2389074), of Minot, N. Dak., the sum of \$778.78, representing the amount necessary to pay private medical and hospital expenses incurred by him incident to an emergency operation when his physical condition was such that he could not be removed to a Veterans' Administration hospital: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELZIE C. BROWN

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4763) for the relief of Elzie C. Brown, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 10, after "received", insert "on or about Thanksgiving of 1945."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in; and a motion to reconsider was laid on the table.

MARGARET MARY HAMMOND

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3024) for the relief of Margaret Mary Hammond, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 7, after "act", insert ", : *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in case of such medical or hospital expenditures as may be deemed reimbursable."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in; and a motion to reconsider was laid on the table.

AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. ABBITT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2295) to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new subsection:

"(j) In establishing farm acreage allotments for burley tobacco crops for the years 1956, 1957, and 1958 the acreage allotment for any farm which has not been retired from agricultural production shall not be reduced below the acreage allotment which would otherwise be established because the harvested acreage was less than the allotted acreage unless the acreage harvested was less than 50 percent of the allotted acreage in each of the preceding 5 years, in which event it shall not be reduced for such reason to less than the largest acreage harvested in any year in such 5-year period."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATE OF ILLINOIS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 125) for the relief of the State of Illinois.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the State of Illinois shall have the exclusive right in interstate commerce to use, manufacture, and to control the right to manufacture the emblematic design heretofore published by the secretary of state of the State of Illinois consisting of a profile of the head of Abraham Lincoln superimposed upon an outline map of the State of Illinois which is surmounted by the name "Illinois" and overlaid by the caption "Land of Lincoln."

SEC. 2. Nothing in this act shall be construed to confer any right to recover damages for violation of this exclusive right, by any act performed before the date of enactment of this act, or to prevent the use of any matter utilized before that date.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILITARIZATION OF THE IMMIGRATION AND NATURALIZATION SERVICE

(Mr. MOLLOHAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MOLLOHAN. Mr. Speaker, I wish to alert this House that although the Senate bills, S. 1271 and S. 1272 on the Private Calendar, have been objected to and ordered recommitted to the Committee on Armed Services—we may not as yet have heard the end of these two measures in this session of the Congress—as we shall certainly hear more about them in the next.

For these reasons, I wish to inform the House clearly and unmistakably as to the nature of these bills and the principles which are involved. To me these command the serious consideration of all Members of the Congress before taking action upon these measures.

The Senate bills, S. 1271 and S. 1272, would exempt Gens. Frank H. Partridge and Edwin B. Howard from the provisions of the dual positions statute and thus enable these retired officers to accept appointments as Assistant Commissioners in the Immigration and Naturalization Service in the Department of Justice.

I deeply deplore the fact that I could not concur in the action taken by the Committee on Armed Services in favorably reporting out these bills. At the time of the hearings on these bills before the committee, the Subcommittee on Legal and Monetary Affairs—of which I am chairman—of the House Government Operations Committee was conducting an investigation of the Immigration and Naturalization Service under the reorganization initiated by Gen. J. M. Swing, the newly appointed Commissioner.

From the facts revealed by this investigation, I found it impossible to avoid the following conclusions:

First, neither General Howard nor General Partridge was eligible for employment by the Service except as a consultant.

Second, the two retired officers were occupying full policymaking and policy-administering positions in violation and circumvention of both the statutory and regulatory provisions of the law.

Third, both received compensation in excess of that authorized by law.

Fourth, there is reason to believe that had it not been for the insistence of the subcommittee, supplemented by a ruling by the Comptroller General, the employment of General Partridge would have been continued after the legal period of his eligibility had expired.

The situation involving the 2 retired generals with whom we are concerned in the above 2 bills was only a sidelight of the subcommittee's study. The information revealed by this study has, however, since been substantiated by the highest authority available in

the executive branches of the Government, the Comptroller General and the Chairman of the Civil Service Commission.

Nevertheless, these two Senate bills would enable Generals Partridge and Howard to accept appointments as Assistant Commissioners in the Immigration and Naturalization Service in the Department of Justice—positions which they have, in reality, been occupying ever since their employment as consultants.

I would like to make it perfectly clear at this point, Mr. Speaker, that my opposition to these bills is not directed against either of these two gentlemen personally. I have the greatest respect for their unquestioned honor and integrity and equal regard for their undoubted qualifications as soldiers.

But I am unconditionally and unalterably opposed to what these two bills would accomplish—the further militarization of the Immigration and Naturalization Service.

Mr. Speaker, I do not speak lightly. The Immigration Service has been the subject of intensive investigation and extensive hearings by the Subcommittee on Legal and Monetary Affairs. I am deeply concerned by some of the facts which have been brought to light through the subcommittee's efforts. I am even more alarmed by the indication of hidden activities which we have been unable to bring to light.

With the greatest reluctance, I speak of these latter matters now. It has always been my practice to ignore anonymous communications. Every Member of Congress, I am sure, receives his share of such communications and treats with the contempt they merit these nameless informers who lack the courage to stand up like men and speak their minds for what they sincerely believe to be for the good of their country.

Unhappily, Congress has little choice today but to attach significance to some of these nameless communications because the executive branches of the Government refuse to deal candidly with our proper and pertinent inquiries, and because of the censorship which has been clamped upon even the most plebeian activities of the civil departments and agencies of the Government.

It is of one such anonymous communication that I am about to speak. Addressed to the chairman of the Subcommittee on Legal and Monetary Affairs, the charges it makes regarding secret plans and activities being conducted by the Immigration and Naturalization Service are, I am sure you will agree, far too serious to be disregarded.

The Immigration Service has been given an opportunity to refute these charges. The fact that it has refused to deny them forces but one conclusion—that the shocking revelations in this communication are, indeed, founded upon fact.

Consequently, I feel that there is no other recourse open save to make its content public as a thoroughly disquieting example of what happens when we permit the militaristic mind to dominate the

Public Law 351 - 84th Congress
Chapter 789 - 1st Session
S. 2295

AN ACT

All 69 Stat. 670.

To amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new subsection:

Burley tobacco.
65 Stat. 422.
7 USC 1313.

“(j) In establishing farm acreage allotments for burley tobacco crops for the years 1956, 1957, and 1958 the acreage allotment for any farm which has not been retired from agricultural production shall not be reduced below the acreage allotment which would otherwise be established because the harvested acreage was less than the allotted acreage unless the acreage harvested was less than 50 per centum of the allotted acreage in each of the preceding five years, in which event it shall not be reduced for such reason to less than the largest acreage harvested in any year in such five-year period.”

Approved August 11, 1955.

